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REMARKS

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At the outset, applicant's attorney acknowledges with appreciation the indication of allowability of the subject matter of claims 3 and 17. Each of those claims has now been amended by placing it in independent form by including the subject matter of the respective independent and dependent claims. Accordingly, each of claims 3 and 17 is now clearly in allowable form.

The drawings were objected to on the ground that reference numeral 104 shown in Figure 5 was not mentioned in the specification. In response to that objection paragraph 0028 of the specification has been amended to recite that rounded end 104 of overlying cover 68 is a surface over which water flows into the gutter. That amendatory addition to paragraph 0028 does not introduce new matter because it is based upon the structure illustrated in Figure 5, and it therefore overcomes the drawing objection.

The specification was objected to as not providing antecedent basis for the subject matter recited in claims 6 and 7. In response to that objection paragraph 0021 of the specification has been amended to recite the subject matter that was set forth in each of those claims as they were originally filed. Again, the amendatory addition to paragraph 0021 does not introduce new matter because it tracks the recitations that were included in original claims 6 and 7 as filed. The specification objection is therefore also overcome.

All the claims except for claims 4 and 9 through 13 have been amended to clarify the structural and functional aspects of the claimed invention.

Claims 1, 2, 4, 5, 8 through 16, and 18 were rejected as anticipated by the Schoenherr '860 reference. In that regard, the Schoenherr reference discloses a

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gutter bracket for a conventional gutter that does not include a gutter cover panel. Although holes 40a and 40b of the Schoenherr structure were construed as corresponding with the claimed at least one second bore, in the Schoenherr reference those holes are specifically recited as applicable to connecting a conventional roof hook strap, not a gutter cover panel as claimed in independent claims 1 and 14.

Additionally, although the top of clip 24 of Schoenherr was construed as for element engaging purposes, that reference makes no mention or suggestion of any such purpose, or of any particular element that would be engaged. Indeed, as illustrated in the Schoenherr drawings, nothing contacts the top of clip 24. In that regard, each of independent claims 1, 14, and 15 has been amended to recite that the support means is an upwardly-facing, flat support surface means for engaging a rear surface portion of the gutter cover panel, which clearly distinguishes the invention as claimed in those claims over the Schoenherr reference. Furthermore, claims 1, 14, and 15 now also recite a front surface (element 30 in Figure 1 of the present application) that is spaced from the mounting surface (element 16 in figure 1 of the present application) and is connected therewith by a central panel (element 13 in Figure 1 of the present application). The Schoenherr reference does not disclose either such a front surface nor a central panel that connects the front surface with the mounting surface, which further distinguishes the invention as claimed in independent claims 1, 14, and 15 from the Schoenherr structure.

Claims 2, 4, 5, and 8 through 13 each depend from claim 1, either directly or indirectly, and therefore those claims are also not anticipated, nor would they be rendered obvious, by the structure disclosed in the Schoenherr reference, and for

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the same reasons as are given above in connection with claim 1. Moreover, each of those dependent claims contains additional recitations that further distinguishes the invention so claimed from the structure disclosed by Schoenherr. Similarly, claims 16 and 18 depend directly from claim 15, and therefore those claims are also not anticipated nor rendered obvious by the Schoenherr reference, for the same reasons as are given above in connection with claim 15.

Claims 1, 2, 4, 5, and 14 through 16 were rejected as anticipated by the Sasamoto '797 reference. However, as was the case with the Schoenherr bracket structure, the Sasamoto bracket structure is also significantly different from the claimed invention. Element 27 of Sasamoto, which was referred to as a cover, is, in fact, merely a woven wire screen as represented in Figures 1 and 2a of Sasamoto. And although Sasamoto's screen 27 overlies the gutter, it is not structurally the same as and it does not function in the same manner as the gutter cover illustrated in the present application, which is shown in Figure 6 of the present application as a solid, imperforate member. Moreover, the Sasamoto reference also does not disclose a front surface that is interconnected with the mounting surface by a central panel that extends between and connects the front surface with the mounting surface, as now recited in claims 1, 14, and 15. Thus, the Sasamoto reference does not anticipate the invention as it is now claimed in independent claims 1, 14, and 15.

Claims 2, 4, and 5 each depend directly from claim 1 and are therefore also not anticipated by the Sasamoto reference. Similarly, claim 16 depends directly from claim 15 and is therefore also not anticipated by that reference.

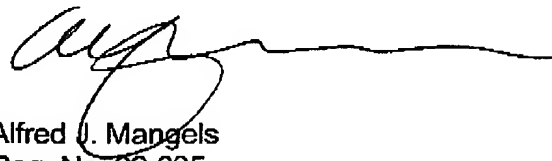
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Claims 6 and 7 were rejected as unpatentable over the Sasamoto reference. However, each of those claims depends indirectly from claim 1, and therefore each claim recites structure and function that is neither shown nor suggested by the structure shown in the Sasamoto drawings. Thus, claims 6 and 7 are also patentably distinguishable over the Sasamoto reference.

Based upon the foregoing amendments and remarks, the claims as they now stand in the application are believed clearly to be in allowable form. The claims patentably distinguish over the disclosures contained in the references that were cited and relied by the examiner, whether those references be considered alone or in combination, and whether they be considered in the context of 35 U.S.C. § 102 or of 35 U.S.C. § 103. Consequently, this application is believed now to be in condition for allowance. Accordingly, reconsideration and reexamination of the application is respectfully requested with a view toward the issuance of an early Notice of Allowance.

The examiner is cordially invited to telephone the undersigned attorney if this amendment raises any questions, so that any such question can be quickly resolved in order that the present application can proceed toward allowance.

Respectfully submitted,



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